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PTO/SB/50 (06-03)

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## REISSUE PATENT APPLICATION TRANSMITTAL

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Alexandria, VA 22313-1450

Attorney Docket No.

5727-73535

First Named Inventor

Harvey B. Buck, Jr. et al

Original Patent Number

6,294,062

Original Patent Issue Date  
(Month/Day/Year)

September 25, 2001

Express Mail Label No.

EV337240872US

APPLICATION FOR REISSUE OF:

(Check applicable)



Utility Patent



Design Patent



Plant Patent

### APPLICATION ELEMENTS (37 CFR 1.173)

1. ☒ Fee Transmittal Form (PTO/SB/56)  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification and Claims in double column copy of patent  
format (amended, if appropriate)
4. ☒ Drawing(s) (proposed amendments, if appropriate)
5. ☒ Reissue Oath/Declaration (original or copy) (unsigned)  
(37 C.F.R. 1.175) (PTO/SB/51 or 52)
6. ☒ Power of Attorney
7. ☒ Original U.S. Patent currently ☒ Yes ☐ No  
(If Yes, check applicable box(es))
  - ☐ Written Consent of all Assignees (PTO/SB/53)
  - ☒ 37 C.F.R. § 3.73(b) Statement (unsigned)  
(PTO/SB/96)
8. ☐ CD-ROM or CD-R in duplicate, Computer Program (Appendix)  
or large table
9. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all of the following are necessary)
  - a. ☐ Computer Readable Form (CFR)
  - b. Specification Sequence Listing on:
    - i ☐ CD-ROM (2 copies) or CD-R (2 copies); or
    - ii ☐ paper
  - c. ☐ Statements verifying identity of above copies

### ACCOMPANYING APPLICATION PARTS

10. ☒ Statement of status and support for all changes  
to the claims. See 37 CFR 1.173 (c).
11. ☐ Original Patent Grant
  - ☐ Ribbonded Original Patent Grant
  - ☐ Statement of Loss (PTO/SB/55)
12. ☐ Foreign Priority Claim (35 U.S.C. 119)  
(if applicable)
13. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS  
Citations
14. ☐ English Translation of Reissue Oath/Declaration  
(if applicable)
15. ☐ Preliminary Amendment
16. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
17. Other: Offer to Surrender Original  
Patent Grant; Assent by Assignee;  
Request for Title Report

### 18. CORRESPONDENCE ADDRESS



Customer Number:

23643

OR ☐

Correspondence address below

Name

Address

City

State

Zip Code

Fax

Country

Telephone

NAME (Print/Type)

Bradford G. Addison

Registration No. (Attorney/Agent)

41,486

Signature

*Bradford G. Addison*


Date

9/25/03

This collection of information is required by 37 CFR 1.173. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Reissue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| REISSUE APPLICATION FEE TRANSMITTAL FORM   |   |                                     |   |                             |              | Docket Number<br><b>5727-73535</b> |                           |       |
|--|---|-------------------------------------|---|-----------------------------|--------------|------------------------------------|---------------------------|-------|
| Claims as Filed - Part 1   |   |                                     |   |                             |              |                                    |                           |       |
| Claims in Patent   |   | Number Filed in Reissue Application | (3)<br>Number Extra                       | Small Entity                |              | Other than a Small Entity          |                           |       |
|  |   |                                     |   | Rate                        | Fee          |                                    |                           |       |
| (A) 47   | Total Claims<br>(37 CFR 1.16(j))        | (B) 59                              | ****<br>12 =                              | x \$ 9 =                    | \$108        | or                                 | x \$ 18 = \$216           |       |
| (C) 3  | Independent claims<br>(37 CFR 1.16(i))  | (D) 7                               | *<br>4 =                                  | x \$ 42 =                   | \$168        |                                    | x \$ 84 = \$336           |       |
| Basic Fee (37 CFR  |   |                                     |   |                             | \$375        |                                    |                           | \$750 |
| Total Filing Fee   |   |                                     |   |                             | \$651        |                                    | \$1,302                   |       |
| Claims as Amended - Part 2   |   |                                     |   |                             |              |                                    |                           |       |
|  | (1)<br>Claims Remaining After Amendment |                                     | (2)<br>Highest Number Previously Paid For | (3)<br>Extra Claims Present | Small Entity |                                    | Other than a Small Entity |       |
|  |   |                                     |   |                             | Rate         | Fee                                |                           |       |
| Total Claims<br>(37 CFR 1.16(j))   | ***                                     | MINUS                               | **  | *                           | x \$ 9 =     | \$0                                | x \$ 18 =                 | \$0   |
| Independent Claims (37 CFR 1.16(i))  | ***                                     | MINUS                               | *****                                     | =                           | x \$ 42 =    | \$0                                | x \$ 84 =                 | \$0   |
| Total Additional Fee   |   |                                     |   |                             |              | \$0                                | OR                        | \$0   |
| <p>* If the entry in (D) is less than the entry in (C), Write "0" in column 3.</p> <p>** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.</p> <p>*** After any cancellation of claims.</p> <p>**** If "A" is greater than 20, use (B - A); if "A" is 20 or less, use (B - 20).</p> <p>***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input checked="" type="checkbox"/> Please charge Deposit Account No. <u>10-0435</u> in the amount of <u>\$1,302</u>.<br/>A duplicate copy of this sheet is</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. <u>10-0435</u>.<br/>A duplicate copy of this sheet is enclosed.</p> <p><input type="checkbox"/> A check in the amount of \$ _____ to cover the filing / additional fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p style="text-align: center;"><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p><u>9/25/03</u><br/>Date</p> <p><u>41,486</u><br/>Registration Number, if applicable</p> </div> <div style="width: 45%; text-align: right;"> <p><br/>Signature of Applicant, Attorney or Agent of Record</p> <p><u>Bradford G. Addison</u><br/>Typed or printed name</p> </div> </div> |   |                                     |   |                             |              |                                    |                           |       |

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **Harvey B. Buck, Jr. et al.**

Docket No.

**5727-73535**

Serial No.

Unknown

Filing Date

Herewith

Examiner

Unknown

Group Art Unit

Unknown

Invention: **METHOD AND DEVICE FOR ELECTROCHEMICAL IMMUNOASSAY OF MULTIPLE ANALYTES**

I hereby certify that the following correspondence:

**Reissue Patent Application Transmittal; Reissue Application Fee Transmittal Form; Status of Claims Under 37 CFR 1.173(C); Declaration by Inventors (unsigned); Assent by Assignee (unsigned); Statement Under 37 CFR 3.73(b)(unsigned); Offer to Surrender Original Patent Grant (unsigned); Request for Title Report; Reissue Patent Application; Formal Drawings (13 sheets); postcard***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

9/25/03*(Date)*Bradford G. Addison*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*EV337240872US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

Attorney Docket No: 5727-73535  
PATENT

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Harvey B. Buck, Jr. et. al.

Serial No.: Unknown

Art Unit: Unknown

Filed: Herewith

Examiner: Unknown

For: Reissue of U.S. Patent No. 6,294,062  
Issued September 25, 2001  
on U.S. Application Serial No. 09/330,422  
Filed May 28, 1999

**STATUS OF CLAIMS AND SUPPORT FOR  
CLAIM CHANGES UNDER 37 CFR 1.173 (C)**

Mail Stop Reissue  
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Alexandria, VA 22313-1450

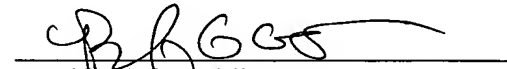
Sir:

Status of all claims is as follows: patented claims 1-47 and new claims 48-59 are pending. Explanation of new claims 48-59 is as follows: i) new claim 48 is similar to claim 1 but without the requirement that at least one of the species comprise a liquid diffusible conjugate of a ligand analog of an analyte in a liquid sample and that the conjugate is capable of competitive binding with a specific binding partner for the analyte of claim 1, ii) new claims 49-53 are dependent upon new claim 48 and include additional limitations, iii) new claim 54 is similar to new claim 48 and likewise does not include the requirement that at least one of the species comprise a liquid diffusible conjugate of a ligand analog of an analyte in a liquid sample and that the conjugate is capable of competitive binding with a specific binding partner for the analyte, iv) new claims 55-57 are directly or indirectly dependent upon new claim 54 and include additional limitations, v) new claim 58 is also similar to new claim 48 and likewise does not include the requirement that at least one of the species comprise a liquid diffusible conjugate of a ligand analog of an analyte in a liquid sample and that the conjugate is capable of competitive binding with a specific binding partner for the analyte and vii) new claim 59 is similar to new claim 48 and likewise does not include the

requirement that at least one of the species comprise a liquid diffusible conjugate of a ligand analog of an analyte in a liquid sample and that the conjugate is capable of competitive binding with a specific binding partner for the analyte. Support for new claims 48-59 can be found throughout the patent and for example at column 2, lines 58, through column 3, lines 1-24; column 12, line 57 through column 13, lines 1-14; and column 15, line 41 through column 16 lines 1-14.

Respectfully submitted,

BARNES & THORNBURG

A handwritten signature in black ink, appearing to read 'B. G. Addison', is written over a horizontal line.

Bradford G. Addison

Reg. No. 41,486

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Tel: 317-231-7253  
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Email: [bradford.addison@btlaw.com](mailto:bradford.addison@btlaw.com)

INDS02 BADDISON 610436v1

Attorney Docket No: 5727-73535  
PATENT

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Harvey B. Buck, Jr. et. al.

Serial No.: Unknown

Art Unit: Unknown

Filed: Herewith

Examiner: Unknown

For: Reissue of U.S. Patent No. 6,294,062  
Issued September 25, 2001  
on U.S. Application Serial No. 09/330,422  
Filed May 28, 1999

**REQUEST FOR TITLE REPORT**


Mail Stop Reissue  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Should a title report be necessary, Applicants consent to the U.S. Patent & Trademark Office preparing the same and charging the deposit account of Barnes & Thornburg 10-0435, with reference to our file 5727-73535.

Respectfully submitted

BARNES & THORNBURG

  
\_\_\_\_\_  
Bradford G. Addison  
Attorney Reg. No. 41,486

Attorney Docket No: 5727-73535  
PATENT

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Harvey B. Buck, Jr. et. al.

Serial No.: Unknown

Art Unit: Unknown

Filed: Herewith

Examiner: Unknown

For: Reissue of U.S. Patent No. 6,294,062  
Issued September 25, 2001  
on U.S. Application Serial No. 09/330,422  
Filed May 28, 1999

**OFFER TO SURRENDER ORIGINAL PATENT GRANT**

Mail Stop Reissue  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned, Assignee for the accompanying application for the reissue of U.S. Letters Patent No. 6,294,062, for METHOD AND DEVICE FOR ELECTROCHEMICAL IMMUNOASSAY OF MULTIPLE ANALYTES, issued on September 25, 2001, of which Roche Diagnostics Corporation is now the sole owner by Assignment, and on whose behalf the accompanying application is made, hereby offers to surrender said Letters Patent. Filed herewith is an order for a title report as required in such cases. The undersigned, whose title is supplied below, is empowered to act on behalf of Roche Diagnostics Corporation.

Roche Diagnostics Corporation

By: \_\_\_\_\_  
Printed Name: D. Michael Young  
Title: Chief Patent Counsel of  
Roche Diagnostics Corporation  
Indianapolis, Indiana